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to

Amend the Relief of Distress (Ireland) Act, 1880; and for A.D. 1880.
other purposes relating thereto.

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:

- 5 1. This Act may be cited as the *Relief of Distress (Ireland) Amendment Act, 1880.*
2. Whereas by the seventeenth section of the *Relief of Distress Amendment (Ireland) Act, 1880,* it is enacted that the Commissioners of Church Temporalities in Ireland shall advance to the Commissioners of Public Works, out of any moneys at their disposal or which they may raise on the security of their annual income, such sum or sums not exceeding in the whole the sum of seven hundred and fifty thousand pounds as the Commissioners of the Treasury may from time to time direct, and whereas the said limited sum has been found insufficient for the purposes of the Act:

Therefore, the seventeenth section of the said Act shall be construed as if the words *one million five hundred thousand pounds* were therein substituted for the words *seven hundred and fifty thousand pounds*: And with the view of facilitating the raising of the said increased sum, the Commissioners for the Reduction of the National Debt and the Commissioners of Church Temporalities may from time to time vary the terms for the repayment of any loan made or to be made by the Commissioners for the Reduction of the National Debt, and the security for such loan: And the Treasury may, if they think fit, from time to time continue their guarantee to the loan and security varied as aforesaid.

[Bill 205.]

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2 Relief of Distress (Ireland) Act (1880), Amendment. [43 Vict.]

A.D. 1880.

Railway and
other loans.

3. The Commissioners of Public Works may, with the consent of the Treasury, out of any moneys placed at their disposal by Parliament for the making of loans, make loans to railway and other public companies having borrowing powers, and in favour of which any such guarantee as is herein-after mentioned has been given; 5 upon the same terms and conditions as apply to loans made by them for the like purposes under the Act of the session of Parliament of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, entitled "An Act for the extension and promotion of public works in 10 Ireland," and the Acts amending the same.

Guarantees
by peers
and
others.

4. For the purpose of enabling any barony or baronies to give a guarantee in favour of any such railway or other public company, the Lord Lieutenant may from time to time, if he thinks fit, in exercise of the power conferred upon him by the Relief of 15 Distress (Ireland) Act, 1880, convene extraordinary presentment sessions for any barony, and may, by instructions to the justices and the associated cess payers assembled at such sessions, authorise and empower them by presentment to charge the barony, by way of guarantee, with the repayment of any principal sum, with interest, 20 thereafter to be borrowed by any such railway or other public company, upon such conditions as the Lord Lieutenant may prescribe.

The baronial presentment sessions may agree with the company as to the mode in which the company contracting the loan shall 25 repay or secure to the barony any sums paid by the barony on account of such loan, with interest thereon.

Such security may be taken on behalf of the barony by the secretary of the grand jury of the county.

For the purpose of taking such security, the person holding the 30 office of secretary of the grand jury of the county shall be a corporation sole, and shall have perpetual succession, with a capacity to acquire and hold lands, government securities, shares in any public company, securities for money, and real and personal property of every description, to sue and be sued, using an official 35 seal, to enter into engagements binding on himself and his successors in office, and to do all other acts necessary or expedient to be done in the execution of this Act.

Provision may be made by the Lord Lieutenant in any such instructions for all matters and things, whether of the same nature 40 as those above mentioned or different, which appear to the Lord

Lieutenant to be necessary or expedient for the purposes of such A.D. 1880.
— presentments.

So much of the provisions of the eleventh section of the Relief of Distress (Ireland) Act, 1880, as relates to the powers of the Lord Lieutenant, and to the instructions issued by him, and also the provisions of the twelfth, fourteenth, fifteenth, and sixteenth sections of the said Act, shall apply to all presentments made at any extraordinary presentment sessions convened in accordance with this Act.

5. The Commissioners of Public Works may, if they think fit, Powers of
Board of
Works. from time to time, with the consent of the Treasury, out of any moneys placed at their disposal by Parliament for the making of loans or grants, apply such sums not exceeding in all the sum of *thirty thousand pounds* as the Treasury may sanction for the purposes of the Fishery Piers Act, to be expended in the manner therein mentioned, but subject to the conditions of this Act.

Provided that the power conferred upon the Commissioners by this section shall only be exercised with reference to works for which an application by memorial under the Fishery Piers Act shall have been made before the passing of this Act or for which an application by memorial shall be made after the passing of this Act and before the *thirtieth day of September one thousand eight hundred and eighty.*

6. When any person interested in the execution of any work which might be executed under the Fishery Piers Act pays to the Terms upon
which Com-
missioners
may under-
take works. Commissioners of Public Works one fourth part of the cost of such work as estimated by the Commissioners, and when an extraordinary meeting of the Baronial Presentment Sessions of any barony convened by the Lord Lieutenant under the authority given him by the Relief of Distress (Ireland) Act, 1880, makes a presentment charging the barony with one fourth part of any amount by which the actual cost of such work when completed shall exceed the estimated cost of such work, payable by such instalments and with such interest as the Lord Lieutenant in his instructions to such Baronial Presentment Sessions may authorise them to present, the Commissioners may, with the consent of the Treasury, publish in the Dublin Gazette or otherwise, as they shall think fit, a notice of their intention to undertake such work, which notice shall be instead of, and shall have all the force and effect of the final notice mentioned in the sixteenth section of the Fishery Piers Act.

40 Provided always, that such notice may be published in any case in which the Treasury shall think fit to accept and signify their approval of any other security for the repayment of such one-fourth

4. *Relief of Distress (Ireland) Act (1880), Amendment.* [43 Vict.]

A.D. 1880. — part of the excess of the actual above the estimated cost of such work in lieu of the security of a presentment of baronial presentment sessions.

Before publishing such notice the Commissioners may, if they think fit, do any matter or thing, and shall have and may if they think fit exercise any right, power, or authority in connexion with such work, which they might do or would have with reference to any of the proceedings preliminary to the publication of the final notice mentioned in the Fishery Piers Act if the work were undertaken in strict compliance with the said Act. 10

The provisions contained in the following sections of the Fishery Piers Act, that is to say, section four, sub-section four, section five, and sections ten to fifteen, both included, relative to proceedings preliminary to the publication of such notice, shall not apply to any such work. 15

Power to undertake works. 7. At any time after the publication by the Commissioners of Public Works of any such notice as is mentioned in this Act the Commissioners may commence and proceed with the works proposed to be executed and to which such notice relates.

The Commissioners may, if they think fit, do any matter or thing, and shall have and may if they think fit exercise any right, power, or authority with reference to such work, which they might do or would have if the work were undertaken in strict compliance with the Fishery Piers Act, and all the enactments contained in that Act, save so far as they are modified by this Act, shall apply as nearly as may be with reference to any such work. 20 25

Management and major construction of works when constructed. 8. When such work has been constructed, all the provisions of the Fishery Piers Act and of the Act of the session of Parliament held in the sixteenth and seventeenth years of the reign of Her present Majesty, chapter one hundred and thirty-six, as amended by any Act or Acts, shall apply to such work as if it was a pier constructed in strict compliance with the Fishery Piers Act. 30

Supplementary provisions as to presentments. 9. The Commissioners of Public Works shall from time to time, for the purpose of enforcing any presentment made by the baronial presentment sessions of any barony charging the barony with any sum according to the provisions of this Act, make out before each assizes a certificate for each county in which such presentment has been made, specifying the amount then properly chargeable upon the barony under such presentment, and shall transmit the certificate to the secretary of the grand jury, to be laid before the grand jury, and thereupon the grand jury shall, without any

previous application to presentment sessions, make a presentment for the amount specified in such certificate as payable by such barony, or, in default of such presentment, the amount shall be raised off the barony by an order of the judge of assize, which order shall have the force of a presentment. The amounts raised under such presentments shall be paid to the Commissioners of Public Works in such manner as the Treasury shall direct.

A.D. 1890.

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10. In this Act the term "the Fishery Piers Act" means the Act passed in the session of Parliament held in the ninth and tenth 10 years of the reign of Her present Majesty, chapter three, as altered or amended by any Act or Acts.

Interpre-
tion.

The term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland.

The term "the Lord Lieutenant" means the Lord Lieutenant or 15 other Chief Governor or Governors of Ireland for the time being.

The term "the Treasury" means the Commissioners of Her Majesty's Treasury.

Relief of Distress
(Ireland) Act (1990)
Amendment.

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Be it enacted by the Relief of Distress (Ireland) Act, 1990, and for other purposes relating thereto,

(Prepared and compiled by
Mr. Justice and Lord President Kerrison.)

Published by the House of Commons, 16 March
1990 (1990)

(Bill 207.)

Under 1 a.